

Appendix A Notice of Preparation

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NOTICE OF PREPARATION

To: Office of Planning and Research
1400 10th Street
Sacramento, CA 95814

From: California Dept. of Transportation
3337 Michelson Drive Suite 380
Irvine, CA 92612

Subject: **Notice of Preparation of a Draft Environmental Impact Report**
Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Project Title: Widening of State Route 74 (Ortega Highway) Between Calle Entradero and the Orange County/San Juan Capistrano Boundary

Project Location: State Route 74 from Calle Entradero (postmile 1.0) to the City/County limits (postmile 1.9) refer to Figure 1

Project Description: Add an additional travel lane in each direction for a total of four lanes from Calle Entradero (postmile 1.0) to the City of San Juan Capistrano/Orange County line (postmile 1.9) a distance of approximately 0.9 miles. The proposed additional lanes, shoulders, median, drainages, driveways, and sidewalks have been developed consistent with the Caltrans Highway Design Manual.

The California Department of Transportation (Department) prepared an Initial Study (IS) (with proposed Mitigated Negative Declaration (MND)) for this project. This document was circulated for public review in July 2007 and an open house was held to present the project to the community and receive public input. Based on the comments received Caltrans is now preparing an Environmental Impact Report (EIR). The Draft EIR is anticipated to be circulated in the summer of 2008.

This is to inform you that the California Department of Transportation will be the lead agency and will prepare an EIR for the project described below. Your participation as a responsible agency is requested in the preparation and review of this document.

We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

A location map, the Initial Study and the potential effects of the project are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice. The Department will accept comments from these Agencies and interested parties regarding this notice through the close of business, **February 18, 2008**

Please direct your response via email to Lower74EIR_D12@dot.ca.gov or:

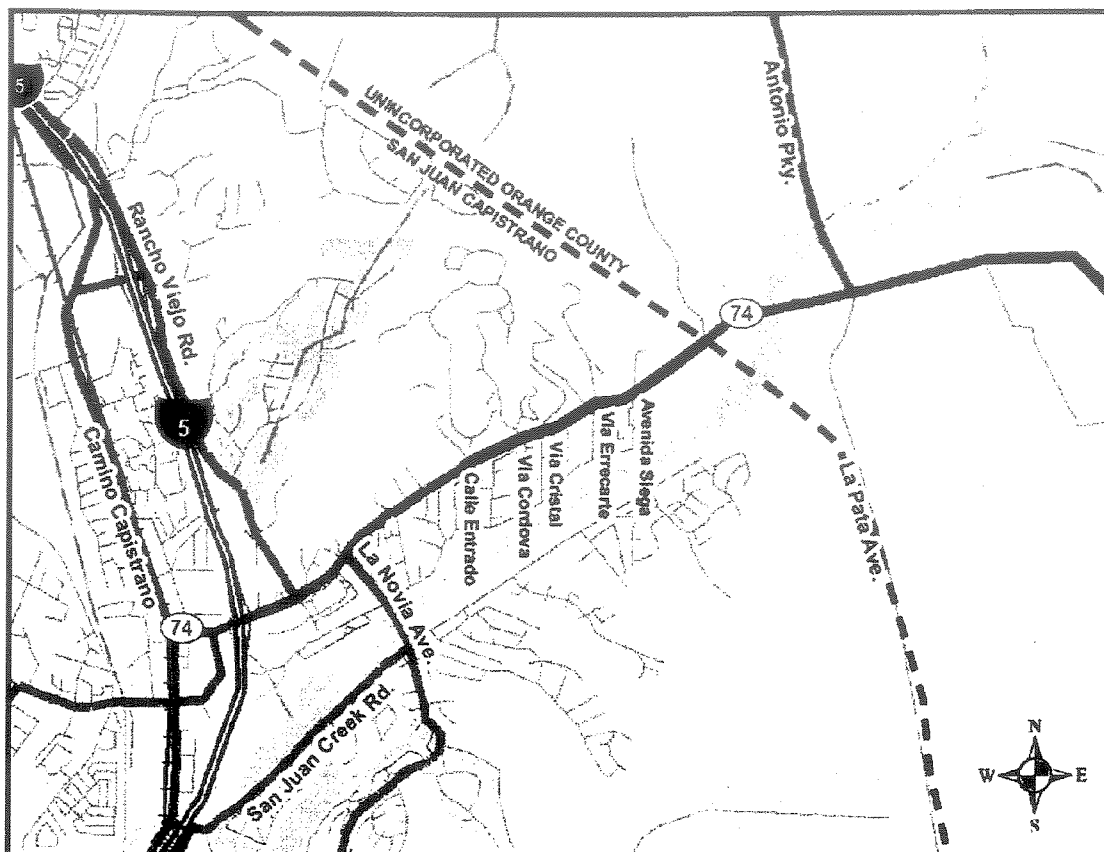
Mr. Scott Shelley
Environmental Planning Branch
3337 Michelson Drive Suite 380
Irvine, CA 92612

Date January 16, 2008

Signature
Title

Imila Deshpande
Senior Environmental Planner

Figure 1
Project Location Map



State Route 74 Lower Ortega Highway Widening Initial Study – January 2008

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
AESTHETICS - Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less than significant impact with mitigation – The proposed project is located in the City of San Juan Capistrano city limits from Calle Entradero east to the City of San Juan Capistrano/County border. The proposed project is entirely within a semi-rural/urban setting with sensitive visual resources. SR-74 serves as a gateway to the City of San Juan Capistrano from the east. There are no designated scenic vistas within the project limits and long-range views are limited along this segment of SR-74 because of intervening topography and development. However, potential impacts to the scenic quality of the existing roadway corridor will be evaluated in the Draft EIR. Mitigation measures will be identified, as necessary.				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potentially significant impact – SR-74 is designated as a scenic highway on the City's General Plan Scenic Highway Element (1994) and is eligible to be designated as a state scenic highway. However, this portion of the roadway is not currently designated as state scenic highway designation. Implementation of the proposed project would require removal of mature vegetation and a substantial number of trees along the approximately one mile segment of SR-74. This has the potential to change the visual characteristics and character of the project site. The Draft EIR will evaluate potential impacts related to the project's effect on a scenic resources including tree removal and introduction of the soundwalls and retaining walls. Mitigation measures will be identified, as necessary.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potentially significant impact – The Draft EIR will evaluate the project's potential impacts to the visual character and quality of the site and its surroundings and whether the project would result in substantial changes to the character of the site and surrounding area. The compatibility of the proposed highway improvement with the surrounding area will be evaluated in the Draft EIR and mitigation measures will be identified, as necessary.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No impact – The proposed project is located on an existing highway and no new sources of light or glare are proposed which would adversely affect day or nighttime views in the area. Lighting may be installed during night work that may effect nearby sensitive receptors; however, lighting will be shielded away from residential uses and no impact would occur. Further evaluation of these issues in the Draft EIR is not required and no mitigation measures are necessary.				
AGRICULTURE RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
No impact – The site is developed with an existing highway right-of-way, with only limited property acquisition required. The project site and area adjacent to the roadway does not contain lands designated by the California Resources Agency as Important Farmlands (Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). The proposed project would not convert farmland to non-agricultural use. No portion of the project site is covered by a Williamson Act Contract. No change in land use designation is required to implement the proposed project. No impacts to agricultural resources would result from project implementation. Therefore, no further analysis of this issue will be provided in the Draft EIR.				
AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
No impact – The proposed project conforms to the applicable air quality plans adopted by the South Coast Air Quality Management District. The project is listed in the Regional Transportation Plan and the Regional Transportation Implementation Plan. Though the project is consistent with the applicable air quality planning programs, this issue will be discussed in the Draft EIR in the context of the larger air quality evaluation.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentration?			X	
Less than significant impact - The Draft EIR will include a complete discussion of the potential air quality impacts associated with the proposed project. Both short-term construction and long-term operational impacts will be assessed. Long-range the project would be expected to improve air quality because it would reduce congestion, which results in higher emission levels. Standard conditions (associated with the SCAQMD Rule 403) would reduce short-term construction emissions. These issues will be addressed in the Draft EIR and appropriate mitigation measures identified, as necessary.				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No impact – The proposed project would neither directly nor indirectly create objectionable odors. The project would involve widening of an existing roadway. No changes to the nature of the use or the type of vehicles using the facility would result from the proposed project. No further evaluation of odors will be included in the Draft EIR.				
BIOLOGICAL RESOURCES - Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Less than significant impact– The project area contains primarily disturbed conditions along SR-74. Most of the habitat is associated with landscaped areas in the City of San Juan Capistrano. Raptors have the potential to occur in the project area. However, the project area is unlikely to support raptor nesting due to a lack of suitable habitat. Direct effects involve the physical loss of habitat, possibly used by wildlife, due to site clearing, grubbing, culvert improvements, and road widening. Construction of the Build Alternatives would result in the removal of habitat that may provide nesting and foraging opportunities for a variety of species including riparian/atypical wetland, species dependent on tall trees (oaks), and non-native species. However, of the 11 possible federal or state Threatened or Endangered species that may occur in the study area, none were present during prior surveys of the site in 2006. The Draft EIR will evaluate the direct and indirect impacts to animal species including threatened and endangered species, raptors, and nesting birds. Mitigation will be provided, as necessary.				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less than significant impact with mitigation – The project area contains culverts/ditch areas that eventually discharge into San Juan Creek, located south and east of the Project Limits. All existing drainages would be modified and extended to intercept at the proposed edge of pavement. Additional drainages would be added on the north side of the highway throughout the Project Limits. Several of the existing drainage systems that would be modified are considered jurisdictional “Atypical wetlands.” The drainage areas provide marginal habitat for wildlife and would not be designated wildlife corridors. Impacts to Wetlands and Other Waters are not anticipated to be substantial. Additionally, the project is located within an area with an adopted Special Area Management Plan (SAMP). Widening of SR-74 was assumed as part of the SAMP analysis. The Draft EIR will evaluate the direct and indirect impacts to Waters and Other Waters and evaluate consistency with the provision of the SAMP. Mitigation measures will be provided, as necessary.				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
Less than significant impact – The proposed project provides for improvements to an existing roadway. It would not include the construction of median barriers, modification to San Juan Creek, or traverse a designated wildlife movement corridor. It is not anticipated to affect long-term wildlife movement. Small mammals, reptiles, and amphibians and other animals of slower mobility that live in the project may be temporarily affected as habitat is altered or removed. More mobile wildlife species would be able to vacate the areas and move into adjacent areas of open space. The Draft EIR will address this issue as part of the evaluation of impacts on biological resources.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
Less than significant impact with mitigation – The project has the potential to impact a number of trees along the segment of roadway. The Draft EIR will evaluate the project alternatives for consistency with the applicable planning policies, including the Southern HCP, the City of San Juan Capistrano General Plan, and the City of San Juan Capistrano Tree Removal Guidelines. Mitigation measures will be developed, as necessary.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	
Less than significant impact– The project site occurs within the SAMP and the Southern Habitat Conservation Plan (HCP) study areas for southern Orange County. Improvements to SR-74 was included as an assumption for both of these regional planning programs. The Draft EIR will evaluate the consistency of the project with the applicable provisions of the adopted Southern HCP or SAMP. Mitigation would be provided, as necessary.				
COMMUNITY RESOURCES - Would the project:				
a) Cause disruption of orderly planned development?		X		
Less than significant impact with mitigation - The proposed project would result in minor property acquisition along SR-74. No relocations would be required. Property Owners would be compensated at fair market value for any damages or for property acquired. This is not expected to be a significant constraint on the proposed project; however, this issue will be addressed in the Draft EIR and appropriate mitigation will be identified.				
b) Be inconsistent with a Coastal Zone Management Plan?				X
No impact – The project site is located outside of and is non-contiguous to the Coastal Zone and is not anticipated to have any effects on coastal resources. Therefore, it would not impact coastal resources and no further evaluation of this issue will be provided in the Draft EIR.				
c) Affect lifestyles or neighborhood character or stability?			X	
d) Physically divide an established community?			X	
Less than significant – The proposed project would not result in the relocation of any uses. It would not result in modifications to the existing neighborhoods that would divide or substantially alter the connectivity between neighborhoods. The widening of the roadway would result in visual modifications, which will be evaluated under Aesthetics. Though no significant impact to neighborhood or stability is anticipated, this issue will be addressed in the EIR in response to concerns raised by the community.				
e) Affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group?				X

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
<p>No impact – The study area is predominantly non-minority (90 percent) and has a high median income, (greater than \$100,000 per year). This 1990 Census data supports the field review, which did not identify pockets of minority and/or low-income populations. The percent of the population identified as low-income or a minority was less than half that of the City or County. Impacts were distributed throughout the study area and not concentrated in any particular area. Therefore, no minority and/or low-income populations have been identified that would be adversely affected by the proposed project as determined above. Therefore, further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.</p>				
f) Affect employment, industry, or commerce, or require the displacement of businesses or farms?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Affect property values or the local tax base?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>No impact – Since the proposed project does not displace any businesses, no loss of employment, or reduction in income level is expected. The proposed project would not have a substantial impact on tax revenue because the project would not result in any residential or non-residential displacements, and property owners would be compensated for property acquisition. The amount of tax revenue lost from the small number of sliver takes would not substantially alter the tax base. The proposed project would have a short-term beneficial effect on employment by generating direct and indirect employment opportunities. Direct temporary employment involves jobs directly created by highway construction activity. These jobs include all on-site laborers, specialists, engineers, and managers involved with the highway improvement project. Indirect jobs are workers in industries, which supply highway construction manufacturers with materials and off-site construction industry workers such as administrative, clerical and managerial workers. Expenditures by these workers on various goods and services stimulate demand for additional employees in many industries, resulting in employment being supported throughout the general economy. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.</p>				
h) Affect any community facilities (including medical, educational, scientific, or religious institutions, ceremonial sites or sacred shrines?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>No impact – The project site is adjacent to residential uses. There are no community facilities within the project limits. Implementation of the project would not require any long-term road closures; therefore, access to community facilities outside of the project limits would not be restricted. Though no impacts are anticipated, as part of the land use discussion the Draft EIR will provide an inventory of community facilities as such government facilities (police and fire), churches, schools, health care, public transit, and parks and recreational facilities in the project vicinity.</p>				
i) Result in alterations to waterborne, rail, or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>No impact – The proposed project provides for improvements to an existing highway facility. The project site is in close proximity to San Juan Creek; however, no alterations to the Creek would be required. The closest rail line is west of I-5 and would not be affected by the proposed project. The two closest aviation facilities are John Wayne Airport and the Marine Corps Base (MCB) Camp Pendleton. Both of these facilities are a substantial distance from the roadway. There are no features that would directly or indirectly influence air traffic. The project will not result in alterations to waterborne, rail, or air traffic. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.</p>				
j) Support large commercial or residential development?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
<p>Less than significant impact – The project will support the “Ranch Plan,” a 22,815-acre Planned Community east of the project site. The proposed SR-74 improvements would serve the project; however, the need for the improvements was identified substantially before the Ranch Plan was proposed or approved. SR-74 has been identified as a primary arterial highway on the MPAH and the local General Plan for several decades. Though development from the Ranch Plan would utilize the roadway, development of the Ranch Plan is not dependent on the implementation of the SR-74 improvements.</p> <p>Development in western Riverside County also utilizes SR-74. The regional projections for western Riverside County project substantial growth in the region. Similar to the Ranch Plan, none of this development would be conditioned on the implementation of the proposed improvements. The closest development in Riverside County is the City of Lake Elsinore, which is approximately 15 miles to the east of the project limits. Given the limited nature of the improvements (e.g. improvements to 0.9 miles of roadway) the implementation of the proposed project would not be expected to alter development plans in Riverside County or modify commute patterns. There would be over 15 miles of unimproved portions of SR-74 prior to accessing the project location.</p> <p>Surrounding land uses, including the Ranch Plan and development in western Riverside County, will be discussed in the Draft EIR in the context of the land use evaluation and potential growth-inducing affects.</p>				
k) Affect wild or scenic rivers or natural landmarks?				X
<p>No impact – There are no scenic rivers or natural landmarks within or adjacent to the proposed project; therefore, no further evaluation of this issue in the Draft EIR is necessary and no mitigation measures are necessary.</p>				
l) Result in substantial impacts associated with construction activities (e.g., noise, dust, temporary drainage, traffic detours, and temporary access, etc.)?		X		
<p>Less than significant impact with mitigation – The Draft EIR will provide a discussion of the potential impact of the proposed project related to noise, air quality, water quality and hydrology, and transportation and traffic. Mitigation measures will be developed for those topical issues, as necessary.</p>				
CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X		
<p>Less than significant impact with mitigation – A Historic Property Survey Report (HPSR), dated January 2007, was prepared by Department staff and documents cultural resources within the Area of Potential Effects (APE). Based on the results of previous record and literature searches in the project area, at least 20 survey/reports and 11 archeological sites (historic and prehistoric) have been documented within a 1-mile radius of the Project Limits. Because historic resources have been previously identified on site and in the immediate project vicinity, the HPSR will be summarized in the Draft EIR which will document the historic resources in the project vicinity. Potential impacts to historical resources, if any, will be identified in the Draft EIR and appropriate mitigation measures identified, as necessary.</p>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
<p>Less than significant impact with mitigation – The HPSR prepared for the proposed project contains three technical reports: an Archaeological Survey Report (ASR); a Historic Resource Evaluation Report (HRER) for architecture; and a Historical Resource Evaluation Report (HRER) for historic archaeology. The Manriquez Adobe site was identified through archival research and oral history. No surface manifestations of the site were identified during the field survey. However, archival research suggested that information-bearing archaeological deposits may have survived. Draft EIR will summarize the findings of the records search and literature review and will document the archaeological resources in the project vicinity. Potential impacts to archaeological resources, if any, will be identified in the Draft EIR and appropriate mitigation measures identified, as necessary.</p>				
<p>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Less than significant impact with mitigation – A <i>Paleontology Report</i> was prepared by the Department's Central Coast Technical Studies Branch in November 2006. There is low potential for sensitive paleontological resources in the non-marine terrace deposits, as well as the Quaternary alluvium and Colluvium deposits. There is a high potential for encountering sensitive resources within the Miocene Monterey Formation and the Upper Miocene Capistrano Formation. The potential for sensitive resources to be found in the project area varies depending on the formation. The Paleontology Report will be summarized in the Draft EIR and appropriate mitigation will be identified..</p>				
<p>d) Disturb any human remains, including those interred outside of formal cemeteries?</p>				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Less than significant impact with mitigation – While no human remains have been identified within the project area, the potential for impacts associated with unknown archeological and historical resources will be addressed in the Draft EIR and standard conditions and mitigation measures will be identified, as appropriate. The Department has coordinated with the Native American Heritage Commission (NAHC) regarding their Sacred Lands File in 2001 and 2006. The NAHC search had failed to identify cultural resources within the project area. This finding will be confirmed in conjunction with the preparation of the Draft EIR.</p>				
<p>GEOLOGY AND SOILS - Would the project:</p>				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
<p>Less than significant impact – Most of Southern California is subject to some affect from active and potentially active fault zones in the region. A Preliminary Geotechnical Report has been prepared by the Department's Division of Geotechnical Services in August 2006. According to the investigation, no known earthquake faults, including those delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Act (APEFZA) maps, pass through the proposed project site. The closest active fault is Whittier-Elsinore Fault Zone, located approximately 9 miles fro the project site. Portions of the project area are within zones that have been identified as being at an increased risk of liquefaction. The discussion of seismic activity will be included in the Draft EIR in the context of the geotechnical discussion of the project.</p>				
b) Result in substantial soil erosion or the loss of topsoil?			X	
<p>Less than significant – The natural slopes in the project area are covered with material which is granular in nature (i.e., sand and gravel). The slopes are typically covered with vegetation. Consistent with the current conditions of the site, implementation of the proposed project would result in the project site being covered with impervious surfaces associated the roadway. During construction activities, temporary soil erosion may occur. Implementation of standard erosion control Best Management Practices (BMPs) through the development of a Storm Water Pollution Prevention Plan (SWPPP), as required by the Statewide NPDES Storm Water Permit would ensure these impacts would remain less than significant. Soil erosion issues will be addressed in the Water Quality and Hydrology section of the Draft EIR.</p>				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
<p>No impact – According to the Geotechnical Report prepared for the proposed project, the proposed project is not located on a geological unit or soil that is unstable or would become unstable as a result of the proposed project. No further discussion in the Draft EIR would be required and no mitigation is necessary.</p>				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.				X
<p>No impact – According to the Geotechnical Report prepared for the proposed project, the proposed project is not located on expansive soil. No further discussion in the Draft EIR would be required and no mitigation is necessary.</p>				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
No impact – The proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. The project would not generate any wastewater. No impact would occur and no further discussion in the Draft EIR is warranted.				
HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
No impact– No routine transport, use or disposal of hazardous materials would occur as part of the proposed project. No further evaluation of this issue will be incorporated into the Draft EIR.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
Less than significant impact – An Initial Site Assessment (ISA) was performed in May 2000, updated in April 2003, and further updated in April 2007. No such emissions were identified in the ISA within the Project Limits, and no such materials, waste, or substances would be handled. During construction, there is a small risk of accidental explosion or release of hazardous materials (such as gasoline, oil, and other fluids) used in operating and maintaining construction equipment; however, due to the limited amount of materials involved during construction and implementation of adopted procedures for the handling of these materials impacts would be less than significant. No further evaluation of this issue will be incorporated into the Draft EIR.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?				X
No impact – No schools are located within one-quarter mile of the project site. The proposed project does not include the construction of any uses that would involve the use, storage, or transport of hazardous materials resulting in the risk of release or hazardous emissions. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
No impact – According to the ISA prepared for the proposed project the project site is not located on a site which is included on a list of hazardous materials sites. No impact would occur and no further analysis in the Draft EIR is necessary.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
No impact – The proposed project is not located within an airport land use plan or within two miles of a public airport. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				

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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
No impact – The project site is not located near a private airstrip. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
No impact – There are no known emergency response or emergency evacuation plans that would be impacted through implementation of the proposed project. The Transportation Management Plan prepared to address construction traffic does incorporate measures for emergency vehicles need to access the study area during construction.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
No impact– The proposed project site is located in an area designated as a Very High Fire Hazard Area which may contain substantial fire risks. The proposed project consists of improvements to an existing highway, no residences are located on the project site and none are proposed as part of the project. Therefore, the project would not result in a significant risk of loss, injury, or death involving wildland fires. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				
HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?		X		
Less than significant impact with mitigation - The project would be required to comply with the current National Pollutant Discharge Elimination System (NPDES) Construction General Permit which requires preparation of a SWPPP. The SWPPP would identify construction-level and post-construction BMPs to reduce or eliminate erosion and sedimentation as well as other non-sediment pollutants. The Draft EIR will summarize the findings of the Water Quality Technical Study. In addition, the Draft EIR will detail the project's compliance with the NPDES permit and identify standard conditions of approval and project design features which would detail any site design feature, routine structural BMPs, and related requirements of the NPDES permit.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
No impact – The proposed project would not draw from groundwater or interfere substantially with groundwater recharge. The project would result in a relative small increase in impervious surfaces. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		X		

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
<p>Less than significant impact with mitigation – A Water Quality Technical Study was prepared by the Department in November 2006. Based on finding of the Water Quality Technical Study, the proposed project would not substantially alter the existing pattern of natural surface drainage in the project area. The limited amount of new impervious surface would not result in substantial increases in the amount of runoff generated from the project site. The project would modify existing storm drains as necessary to ensure proper site drainage. Though the project would not result in substantial changes in volume and composition of runoff the Draft EIR will include a discussion of the potential impacts related to water quality, as well as address compliance with water quality regulations and identify appropriate mitigation measures.</p>				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
<p>Less than significant impact – Because the project site is currently developed with a highway, implementation of the proposed project would not substantially increase the amount of impervious surface area. The volume and composition of runoff is not anticipated to change substantially from existing conditions. Standard conditions and mitigation measures would potentially further reduce the water quality impacts associated with site runoff. The Draft EIR will address compliance with water quality regulations, potential impacts related to water quality, and identify appropriate mitigation measures.</p>				
f) Otherwise substantially degrade water quality?		X		
Less than significant with mitigation – See the discussion under item (a) above.				
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
<p>No impact – The proposed project is not designated as being within a 100-Year Flood Hazard Area. The project site consists of the existing highway and no housing is proposed as part of the project and would not expose people or structures to flooding. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.</p>				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
<p>No impact – The proposed project is not designated as being within a Dam Inundation Area. The project site consists of the existing highway and no housing is proposed as part of the project and would not expose people or structures to flooding. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.</p>				
j) Inundation by seiche, tsunami, or mudflow?				X
<p>No impact – There are no water bodies in proximity to the project site that would subject the site to hazards from a seiche or tsunami. There are no hillside areas within the project vicinity that would generate mudflow. Further evaluation of these issues in the Draft EIR is not required and no mitigation measures are necessary.</p>				
LAND USE AND PLANNING - Would the project:				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
Less than significant impact – The Draft EIR will evaluate the project's consistency with local planning documents. The Draft EIR will also address consistency with other relevant local and regional planning documents.				
b) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
No impact – The project occurs within the SAMP and Southern HCP boundaries. The proposed project does not traverse an area identified for preservation in the Southern HCP. Though no impact is identified, the Draft EIR will address the applicable components of these planning programs.				
MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
No impact – The project site does not contain any known state or locally designated mineral resources or locally important mineral resources recovery sites. Therefore, implementation of the proposed project would not result in the loss of availability of lands that potentially contain mineral resources. Therefore, further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				
NOISE - Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
Potentially significant impact – There are portions of the study area that currently are exposed to noise levels in excess of established standards (State and local standards). With the projected increase in traffic volumes, with or without the project, the number and severity of noise exceedances would increase. The project would incrementally add to the noise exceedances because it would result in traffic being moved closer to the sensitive receptors. Sound barriers, which were identified as reasonable and feasible by the Department guidelines, would be constructed as part of the project improvements. This would result in a beneficial affect compared to existing conditions and the no project scenarios; however, there would still be locations where the cumulative noise impact would exceed State and local standards. The potential project related and cumulative noise impacts will be evaluated in the Draft EIR.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
Less than significant impact – There would be temporary exposure of persons to groundborne vibration or groundborne noise during construction, especially associated with pile driving for retaining walls. Though, vibration impacts would be limited in scope and would not result in significant impact, the Draft EIR will include a discussion of the potential impacts associated with vibration. A standard condition for construction activities is to comply with the local noise ordinance.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without	X			

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
the project?				
Potentially significant – As indicated above, the project would move the traffic incrementally closer to the sensitive noise receptors, thereby resulting in an increase in noise levels. However, the existing and future conditions both with and without the project would result in ambient noise levels in excess of standards. The Draft EIR will include an evaluation of noise impacts both with and without the project.				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
Less than significant impact – Construction activities would result in temporary increases in the ambient noise levels. However, based on the standard conditions the contractor would be required to comply with the City of San Juan Capistrano Noise Ordinance, which places restrictions on construction activities to ensure there are no significant impacts. These standards will be summarized and their relevance to the project will be discussed in the Draft EIR.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
No impact – As noted previously, the project site is not located within an airport land use plan or located near a public or private airstrip. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				
POPULATION AND HOUSING - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
Less than significant impact – The proposed project would not directly influence population and housing in the project study area. The immediate study area is generally built-out with residential development. The improvements would provide increased capacity, which would be available to serve the current excess demand (the level of service is deficient in the peak hours) and development that has been approved adjacent to the project site (e.g. the Ranch Plan). Though this would provide improvements that may serve the planned growth, it is not a determining factor as to whether the development is implemented. SR-74 exists and would be available to access future approved development, though with reduced levels of service. The growth-inducing and growth-facilitating aspects of the project will be evaluated in the Draft EIR.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
No impact – The project will not displace any homes or people and would not necessitate replacing housing elsewhere. No impact would occur and no further discussion in the Draft EIR is required and no mitigation measures are necessary.				
PUBLIC SERVICES - Would the project:				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?			X	
Less than significant impact with mitigation measures – There are no fire stations located within the project limits that would be directly or indirectly affected by the proposed project. Emergency access to the study area and surrounding neighborhoods would be maintained during construction. As indicated above, the Transportation Management Plan that is routinely required to address construction detours and staging would address how emergency services would access the area to ensure that impacts in response times during construction are minimal. Long-term, the project would have a beneficial affect on these services by reducing congestion and thereby improving response times. The project would result in modification to several existing driveways on the north side of the road. Many of these driveways are very steep and may exceed the Orange County Fire Authority recommended grade. The Draft EIR will determine if the proposed project would result in the grade of any driveways exceeding OCFA recommended grade or would exacerbate existing exceedances.				
ii. Police protection?			X	
Less than significant impact – There are no police stations located within the project limits that would be directly or indirectly affected by the proposed project. As indicated above, emergency access to the study area and surrounding neighborhoods would be maintained during construction and the Transportation Management Plan would address construction detours and staging. No further evaluation of police services will be provided in the Draft EIR.				
iii. Schools?			X	
Less than significant impact – Though no direct or indirect impacts on schools are anticipated due to the distance of the schools from the project site, in response to public concern the Draft EIR will address potential impacts on student access to neighborhood schools.				
iv. Parks?				X
v. Other public facilities?				X
No impact - There are no parks, libraries, community centers, or other public facilities in the project areas. The proposed project would not result in a population increase or an increase in demand for public services. As such, the proposed project would not result in impacts to parks, or other public facilities. Further evaluation of this issue in the Draft EIR is not required and no mitigation measures are necessary.				
RECREATION -				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
No impact – The proposed project involves improvements to SR-74 highway and would not generate additional population; therefore, it would neither directly increase the demand on existing facilities nor would it require the construction or expansion of recreational facilities. Access to all parks and recreational facilities in the project vicinity would not change as a result of the proposed project. No impact would occur and no further discussion of recreation would be required in the Draft EIR.				
TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the				

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
No impact – The project proposes roadway improvements that would help alleviate traffic congestion along the subject portion of SR-74. The project would not directly or indirectly generate new trips. To document the ability of project to meet the project objectives, the Draft EIR will provide an evaluation of the traffic impacts with and without the project compared to both the existing conditions and long-range cumulative analysis.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
No impact – The proposed project does not propose any uses that would affect air traffic patterns either through direct increases in local population or through development of a project element that would create an aviation hazard. No impact would occur and no further evaluation in the Draft EIR is required..				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incomplete uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
No impact – The proposed project would be designed consistent with the Department's Highway Design Manual, which would ensure that project would not increase hazards due to a design feature. The project study area is currently urbanized; therefore, no conflict with other uses, such as farm equipment would result from the proposed project. The project would enhance local circulation in the project study area, thereby facilitating emergency access as a result of less congestion. Parking is not currently allowed on this portion of SR-74 and the project would not create any new parking demands. The project would not conflict with adopted policies, plans, or programs for alternative transportation. Currently, there are no programs that propose alternative modes of transportation along SR-74. There would be no impact associated with project implementation; therefore, none of these issues warrant further evaluation in the Draft EIR.				
UTILITY AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
No impact – The proposed project involves improvements along an existing highway and no development is planned that would require additional demand for wastewater treatment facilities or systems. No impact would occur and no further evaluation in the Draft EIR is required.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing			X	

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
facilities, the construction of which could cause significant environmental effects?				
Less than significant impact – The proposed project would require minor modification to existing storm drains to accommodate the new pavement width; however, it would not substantially alter the existing drainage pattern of the area. The project may result in incrementally greater runoff associated with a minor increase in the amount of impervious surface. The additional flow will travel via a new underground storm drain system that would outfall to San Juan Creek outside the Project Limits. Compliance with applicable permits and regulations would reduce the potential impacts to less than significant. The Draft EIR will include an evaluation of the potential environmental impacts associated with the construction of the additional drainage facilities.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
No impact – The proposed project involves widening of an existing highway and would not create a new demand for water supplies. No impact related to the sufficiency of available water supplies would occur, and no further analysis in the Draft EIR is required.				
e) Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
No impact – As discussed above under items a) and b), the project would not result in any increased demand for wastewater treatment or impacts to existing facilities. No further evaluation of this topical issue in the Draft EIR is necessary.				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
Less than significant impact – The project involves widening an existing highway facility and would not generate solid waste during operation phase of the project. The proposed project would generate solid waste due to demolition activities during construction, thus generating solid waste requiring disposal. Where feasible, construction waste would be recycled and the proposed project would reuse as many of the existing facilities as possible to reduce excess waste. Remaining solid waste would be hauled to and disposed of at Prima Deshecha landfill, which is operated by the Orange County Integrated Waste Management Department (OCIWMD) and is located east of the project site. Due to the short-term nature of demolition activities and the finite amount of solid waste generated by the project, potential impacts to the available capacity of the landfill system would not be significant. No further analysis in the Draft EIR is required.				

MANDATORY FINDINGS OF SIGNIFICANCE -				
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="height: 40px;"></td> </tr> <tr> <td style="text-align: center;">X</td> </tr> <tr> <td style="height: 40px;"></td> </tr> </table>		X	
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<p>Less than significant impact with mitigation– The proposed project would not significantly degrade the quality of the environment or cause significant reductions in any native or sensitive habitats or species populations in the project area. There are no threatened or endangered species in the study area that would be adversely affected by the project. The project would not impact any known archaeological or historical resources. All potential impacts that have not been avoided with special measures are localized and mitigated to a level where significant impacts would not result.</p>				
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="height: 40px;"></td> </tr> <tr> <td style="text-align: center;">X</td> </tr> <tr> <td style="height: 40px;"></td> </tr> </table>		X	
X				
<p>Potentially significant impact – The proposed project consists of widening an existing highway facility. Implementation of the proposed project would contribute to cumulative noise for which mitigation may not be considered reasonable or feasible.</p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="height: 40px;"></td> </tr> <tr> <td style="text-align: center;">X</td> </tr> <tr> <td style="height: 40px;"></td> </tr> </table>		X	
X				
<p>Potentially significant impact – Construction and operation of the proposed project could have the potential to generate significant adverse impacts on human beings, either directly or indirectly. The Draft EIR will provide analyses of the potential impacts with respect to issues identified above.</p>				